



General Assembly

February Session, 2016

Raised Bill No. 441

LCO No. 2934



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT REQUIRING CERTAIN STATE PAYMENTS TO VENDORS BE
MADE BY CHECK OR ELECTRONIC TRANSFER.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2016*) Unless otherwise
2 requested by the recipient, each state agency shall pay for contractual
3 services and purchases of, and contracts for, supplies, materials and
4 equipment by check or electronic direct deposit to the recipient's
5 account in a bank, Connecticut credit union or federal credit union that
6 has agreed to accept such payment on behalf of the recipient.

7 Sec. 2. Section 4a-50 of the general statutes is repealed and the
8 following is substituted in lieu thereof (*Effective October 1, 2016*):

9 When used in this chapter and section 1 of this act, unless the
10 context indicates a different meaning:

11 (1) "State agency" includes any officer, department, board, council,
12 commission, institution or other agency of the Executive Department
13 of the state government;

14 (2) "Supplies", "materials" and "equipment" mean any and all
15 articles of personal property furnished to or used by any state agency,
16 including all printing, binding, publication of laws, stationery, forms,
17 and reports;

18 (3) "Contractual services" means any and all laundry and cleaning
19 service, pest control service, janitorial service, security service, the
20 rental and repair, or maintenance, of equipment, machinery and other
21 state-owned personal property, advertising and photostating,
22 mimeographing, and other service arrangements where the services
23 are provided by persons other than state employees;

24 (4) "Competitive bidding" means the submission of prices by
25 persons, firms or corporations competing for a contract to provide
26 supplies, materials, equipment or contractual services, under a
27 procedure in which the contracting authority does not negotiate prices;

28 (5) "Competitive negotiation" means a procedure for contracting for
29 supplies, materials, equipment or contractual services, in which (A)
30 proposals are solicited from qualified suppliers by a request for
31 proposals, and (B) changes may be negotiated in proposals and prices
32 after being submitted;

33 (6) "Bidder" means a person, firm or corporation submitting a
34 competitive bid in response to a solicitation; and

35 (7) "Proposer" means a person, firm or corporation submitting a
36 proposal in response to a request for proposals.

37 Sec. 3. Section 4a-52 of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2016*):

39 [Not later than January 1, 1995, the] The Commissioner of
40 Administrative Services shall adopt regulations, in accordance with
41 chapter 54, for the following purposes: (1) To authorize any agency to
42 purchase directly specified supplies, materials, equipment and

43 contractual services under prescribed conditions and procedure; (2) to
44 authorize, in writing, any state agency to purchase, in the open market
45 without filing a requisition or estimate, specified supplies, materials or
46 equipment for immediate delivery to meet emergencies arising from
47 unforeseen causes, including delays by contractors, delays in
48 transportation and an unanticipated volume of work, provided a
49 report of any such purchase, with a record of the competitive
50 quotations upon which it was based and a full account of the
51 circumstances of the emergency, shall be submitted at once to said
52 commissioner by the administrative head of the agency concerned and
53 provided further such report shall be entered by him on a record and
54 shall be open to public inspection; (3) to prescribe the manner in which
55 supplies, materials and equipment shall be [purchased,] delivered,
56 stored and distributed and, except as provided in section 1 of this act,
57 purchased; (4) to prescribe the manner of making requisitions and
58 estimates, the future periods which they are to cover, the form in
59 which they shall be submitted and the manner of their authentication;
60 (5) to prescribe the manner of inspecting all deliveries of supplies,
61 materials and equipment and of making chemical and physical tests of
62 samples submitted with bids or proposals and samples of deliveries to
63 determine whether or not the specifications are being complied with;
64 (6) to provide for the transfer to or between such state agencies of
65 supplies, materials and equipment which are surplus with one such
66 agency but which may be needed by another or others, and for the
67 disposal by sale of supplies, materials and equipment which are
68 obsolete or unusable; (7) to prescribe the amount of deposit or bond to
69 be submitted with a bid or a contract and the amount of deposit or
70 bond to be given for the faithful performance of a contract; (8) to carry
71 out the provisions of section 4a-59a; (9) to specify the categories of
72 purchases which are not subject to the competitive bidding
73 requirements of section 4a-57; (10) to indicate the types of objective
74 criteria that may be used by the commissioner in determining "lowest
75 responsible qualified bidder" for the purposes of section 4a-59; (11) to
76 define the term "minor irregularities" for the purposes of section 4a-59,

77 provided such term shall not include (A) variations in the quality, unit
 78 price or date of delivery or completion of supplies, materials,
 79 equipment or contractual services or (B) exceptions to programs
 80 required under the general statutes; (12) to provide for any other
 81 matters necessary to effect the provisions of this chapter and the
 82 regulations promulgated in pursuance thereof; (13) to establish policies
 83 and procedures for use by agencies in preparing specifications which
 84 will ensure that such specifications shall not be unreasonably
 85 restrictive and shall encourage competition; (14) to determine when
 86 the commissioner or his designee may cancel a procurement; (15) to
 87 establish guidelines governing the use of "brand name or equal"
 88 specifications; (16) to establish procedures by which a bidder or
 89 proposer may request reconsideration of an award determination; (17)
 90 to establish guidelines governing the use of remanufactured goods and
 91 circumstances under which remanufactured goods must be used by
 92 requesting agencies; and (18) to determine when the commissioner or
 93 his designee may amend or reject a bid specification.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	New section
Sec. 2	<i>October 1, 2016</i>	4a-50
Sec. 3	<i>October 1, 2016</i>	4a-52

Statement of Purpose:

To require state agencies to pay vendors of goods and services by check or electronic transfer.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]